

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2012-12

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4
5 AN ORDINANCE

6 CREATING A NEW SUBSECTION 28.8 OF THE CITY OF SANTA FE PURCHASING
7 MANUAL ("PURCHASING MANUAL") TO ESTABLISH PROVISIONS FOR
8 COMMUNITY WORKFORCE AGREEMENTS PURSUANT TO ARTICLE 9.02 OF THE
9 CITY CHARTER AND SECTION 11-13 SFCC 1987.

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11 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

12 Section 1. A new Subsection 28.8 of the Purchasing Manual is ordained to read:

13 28.8 [NEW MATERIAL] COMMUNITY WORKFORCE AGREEMENTS

14 28.8.1 Legislative Findings. The Governing Body finds that:

- 15 (1) The use of community workforce agreements for construction projects in excess
16 of \$500,000, is in the best interest of the City, in building large capital outlay
17 projects funded by Gross Receipts Tax and General Obligation bonds.
- 18 (2) Community workforce agreements will ensure that:
- 19 (a) Time schedules are met for large-scale construction projects;
- 20 (b) Large-scale construction projects will be completed with highly qualified
21 workers;
- 22 (c) The project will meet the highest standards of safety and quality;
- 23 (d) There are peaceful, orderly, and mutually binding procedures for
24 resolving labor issues to:
- 25 (i) Avoid labor conflicts; and

1 (ii) Promote overall stability throughout the duration of the project
2 by providing legally enforceable guarantees that the projects will
3 be carried out in an orderly and timely manner without strikes,
4 lockouts, or slowdowns in light of complex project elements and
5 diversity or numerosity of contractors.

6 (3) Community workforce agreements will allow the City to more accurately predict
7 the costs of large-scale construction projects and ensure fair and reasonable
8 working conditions for all workers for large-scale City construction projects.

9 **28.8.2 Applicability; Contracts Over \$500,000.** Public works Construction contracts in excess
10 of \$500,000 shall be governed by a Community Workforce Agreement (“CWA”) and
11 shall be known as “Covered Projects.”

12 **28.8.3 Incorporation by Reference.** CWAs shall be included in any invitation for bid packet
13 used to initiate competitive sealed bid procurement for Covered Projects, which shall
14 include all contractual terms and conditions applicable to the procurement, as described
15 in Section 22.1 of this Purchasing Manual.

16 **28.8.4 Variable Terms.** The terms of any construction project CWA may vary in accordance
17 with the scope, duration, cost, or other characteristics of any Covered Project and such
18 terms shall be determined by the City in any Invitation for Bid Packet on a project-by-
19 project basis. Provided, however, that any CWA shall incorporate terms to promote the
20 following objectives:

- 21 (1) Make available a ready and adequate supply of highly trained and skilled trade
22 and craft workers;
- 23 (2) Accurately determine project labor costs at the outset of any construction project;
- 24 (3) Establish working conditions for all construction trades and crafts for the
25 duration of the project;

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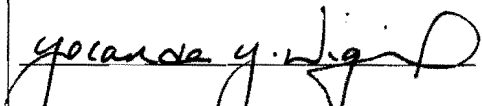
- (4) Negotiate legally enforceable commitments with all parties to a construction project to ensure labor stability and labor peace over the life of the project;
- (5) Facilitate increases in the number of trained and skilled local construction workers through cooperative procedures and apprenticeship programs; and
- (6) Promote the hiring of local subcontractors in the construction of large-scale public works projects funded by gross receipts tax and general obligation bonds.
- (7) Strive to develop a local workforce and use at least fifty percent (50%) of local workers in public works projects.

PASSED, APPROVED, and ADOPTED this 29th day of February, 2012.



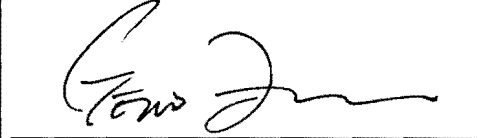
DAVID COSS, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY